

**Town of La Pointe Zoning  
Town Plan Commission Regular Monthly Meeting Minutes  
Wednesday, September 16, 2009**

**Town Plan Commission (TPC) Members Present:** Ted Pallas; Chair, Charles Brummer; Vice-Chair, Larry Whalen (leaves at 5:30 pm), Greg Thury, Suellen Soucek, Ron Madich, Carey Baxter (7)

**Town Plan Commission Members Absent:** None

**Public Present:** Paul Brummer, Gene Nelson (2)

**Town Staff Members Present:** Jennifer Croonborg; ZA, Jessica Hatch; ZCA (2)

**I. Call to Order/Roll Call**

Chair, T. Pallas called the meeting to order at 5 pm at the Town Hall. Roll call reflected members present or absent as recorded above.

**II. Public Comment**

None

**III. Approval of Previous Meeting Minutes:**

**a. Town Plan Commission Workshop August 27, 2009**

Change “Maddich” to “Madich.” ZCA had some highlighted questions; these are addressed. On page 5, last line, change “Change ‘Public Utilities’ to ‘Public Utility’” to “Change ‘Public Service Utilities’ to ‘Public Service Utility.’” C. Brummer moves to approve the Town of La Pointe Workshop minutes of Thursday, August 27, 2009, as amended. G. Thury seconds. All in favor, 6 aye. 1 abstain (Chair Pallas). Motion Carries.

**b. Town Plan Commission Special Monthly Meeting September 02, 2009**

On page 2, under “Old Business b.” change “ZA expresses her” to “ZA expresses administrative.” In the same item, change in the third sentence: “terms temporary” to “terms of temporary.” Change last sentence in this item from: “ZA asks the TPC to consider adding to the Camping Ordinance the requirement to obtain a fire number for properties solely used for camping for emergency service purposes,” to “ZA asks the TPC to consider adding the requirement to obtain a fire number for properties solely used for camping for emergency service purposes to the Camping Ordinance.” C. Brummer moves to approve the Town Plan Commission Special Monthly Meeting minutes of Wednesday, September 2<sup>nd</sup>, 2009 as corrected. L. Whalen seconds. All in favor, 6 aye. 1 abstain (C. Baxter) Motion Carries.

**c. Town Plan Commission Workshop September 10, 2009**

On page 3, under Item IIIc, under the second bullet change “Table 1” to “Table TBD.” “TBD” represents “To Be Determined.” Under the third bullet make the same change. G. Thury moves to approve as amended the Town Plan Commission Workshop minutes of Thursday, September 10, 2009. L. Whalen seconds. All in favor, 5 aye. 2 abstain (S. Soucek and Chair Pallas) Motion Carries.

**VI. Zoning Administrator’s Report**

ZA has no report at this time. Verbally she reports that there has been one applicant for the secretary position. The interview process is discussed. As well, ZA reports there has been a formal complaint filed against the Town of La Pointe. ZA also reports contacting Ms. Gorman regarding the Boundary Survey for her property.

**V. Consideration and/or Action of Permit Applications:**

- a. **Nelson, Greg. Personal Representative for C.A. Nelson RE: CSM to Divide Parcel at 631 Middle Road LP # 014-00195-0300**  
ZA reports that the Register of Deeds will not review this CSM till after the variance process. There are a few corrections to be made on the document. TPC agree that Mr. Nelson will not meet the minimum lot width requirements, thus he will have to go through the variance process. G. Thury moves that we advise the Town Board to deny the CSM for the property at 631 Middle Road LP # 014-00195-0300. S. Soucek seconds. All in favor, 7 aye. Motion Carries.  
Chair Pallas moves that if Mr. Nelson wants to go forward he needs to submit a corrected CSM. S. Soucek seconds. All in favor, 7 aye. Motion Carries.
- b. **Irvine, Charles/Anne. RE: CSM to combine parcels at 533 Chief Buffalo Lane LP # 014-00454-0100**  
ZA reports that the original intent of this CSM and the CSM following on the Agenda was to help these property owners get their buildings on their own property and apply for the Intention of a Sale. ZA reports a number of corrections and additions that need to be made to the map before approval could be recommended. Chair Pallas moves that the ZA notify the Surveyor to make these corrections and then this item be placed on the next meeting agenda. G. Thury seconds. All in favor, 7 aye. Motion Carries.
- c. **Green Revocable Trust. RE: Amendment to CSM #523 at 523 Chief Buffalo Land LP# 014-00454-0300**  
ZA conveys that the Green CSM has already been approved by the Town and County, and has been recorded; however, when the Irvine's surveyed their land, monuments were found on the Green property. These were not found when the Green's had their land surveyed before. This changes the square footage of the Green property. ZA also found that the CSM does not have the name of the property owner. It is TPC consensus that the owner's name be put on the CSM.

Commissioner Whalen leaves during this item at 5:30 PM.

**VI. Old Business**

- a. **Zoning Ordinance Revision Project**
  1. **General Code Update**

ZA recounts activities of Mr. Dick Hoffman, the Project Manager for the General Code Project, who presented a status report on the project to the Town Board recently. It has been decided to leave the Zoning Ordinance and the Sub-Division Ordinance out of the General Code Project for now. Hoffman relayed to the ZA that he communicated with General Code and he is sending the rest of the Town Ordinances that have been significantly revised or added to the list of Town Ordinances to an attorney for review. The rest of the Town Ordinances will move forward.

**VII. New Business**

- a. **Charlie Lazor question RE: house built on steel chassis**

ZA is requesting from the TPC understanding on whether this is a camping unit or a dwelling, it does not seem to fit either requirements. TPC consensus is that this is undetermined until they receive the following additional information: 1) photographs, 2) sanitary, 3) plumbing, and 4) what codes regulate construction. ZA will gather this for the Commission, this item will appear on the agenda in the future.

**b. Nelson, Gene. RE: Project at 197 Big Bay Road LP# 014-00470-0500**

**1. Does the project require a permit for alteration and/or change of use?**

Chair Pallas was appointed to be the Regulatory Agent for this project by the Town Board. ZA is requesting the TPC's interpretation because the TPC has the authority to interpret the Ordinance. The question is whether a) this is a structural alteration that requires a permit, or b) it is a change of use that requires a permit. As well, if permits are required will they be "after the fact" permits that require double fees? TPC consensus is that a Structural Alteration Permit and a Change of Use Permit is required. Furthermore, this project may require State Approved Plans because it is in the Commercial District. Commissioners agree that a fence should be put up around the site due to safety hazards, though they do not have the authority to require Nelson to put one up, research will be done on this matter. TPC Consensus is that a letter will be sent to Mr. Nelson notifying him he has 30 days to come into compliance, if he does this within this time frame no double fees will be applied.

Chair Pallas moves that Gene be sent a letter letting him know that this committee unanimously decided that it requires a Structural Alteration Permit and a Change of Use Permit and he has 30 days from the date of the letter to come into compliance. G. Thury seconds. All in favor, 6 aye. Motion Carries.

**c. Ashland County Land and Water Conservation Department Request for possible projects for Environmental Project Agency Grant Funds**

ZA conveys that there are Federal Grants that will be available to the Town of La Pointe for environmental projects. Keith Sowl and Robin Russell have been planning projects to alleviate invasive species which also entails soil erosion issues and replacing with other species of plants. Commissioner Madich volunteers to work with Sowl and Russell on this planning.

Gene Nelson arrives. Chair Pallas explains to him what the TPC had decided regarding his project. Mr. Nelson states he is not altering the structure, only doing repair and maintenance, and that he is not changing the use yet so does not need a permit for that either.

**d. 2010 Budget**

ZA and Chair will have budget information for the Commission to review at the next meeting.

**VIII. Future Agenda Items**

- Irvine CSM
- Zoning Ordinance Revision Project: Section 3
- Budget 2010

**IX. Schedule of Next Meeting**

- TPC Workshop-Thursday, September 24, 2009- 1 PM
- TPC Special Monthly Meeting-Wednesday, October 07, 2009- 5 PM

**X. Adjournment**

G. Thury moves to adjourn. S. Soucek seconds. All in favor, 6 aye. Motion Carries. Meeting ends 6:22 PM.

**Draft Town Plan Commission Minutes respectfully submitted by Zoning Clerical Assistant, Jessica L. Hatch on Monday, September 21, 2009.**

**Town Plan Commission minutes are approved as amended by ZCA, J. Hatch on Wed., 09-30-09**